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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,524	06/27/2001	Martin Boliek	074451.P134	5999

7590 06/28/2006

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EXAMINER

LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/894,524	<b>Applicant(s)</b> BOLIEK ET AL.	
	<b>Examiner</b> Kelvin Lin	<b>Art Unit</b> 2142	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 29-38 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Detailed Action**

### **Response to Arguments**

1. Applicant's arguments, see pages 11-14, filed April 5, 2006 with respect to the rejection(s) of claim(s) 1-38 under Larsson (USPG PUB No. 20030110299) in view of Josephsen (USPAN No. 6747762) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made to claims 1-28 under Deshpande et al., (US PG Pub No. 20020087728) in view of Larsson (USPG PUB No. 20030110299).

### **Response to Amended Claims**

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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1. Claims 1-2, 4, 10-11, 19-20 are rejected under 35 USC 102(e) as being anticipated by Deshpande et al., (US PG Pub No. 20020087728).
2. Regarding claim 1, Deshpande teaches a client comprising:
  - a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on a server and identifies data of the compressed codestream already buffered at the client, if any (Deshpande, fig. 1, [0007], illustrated the data structure of application JPEG2000, [0008], based on the length of code block contribution information in each header, it can identify the location/segments of the codestream in the memory, in [0042], since JPEG2000 codestream is well structured, from the location of the corresponding portions of the codestream, it is possible to retrieve some portion of the codestream in the memory).
  - a processor coupled to the memory to execute the application to generate a request for portions of the compressed codestream based on indications of which portions of the codestream are already stored in the memory as indicated by the data structure (Deshpande, [0030], the application of file indexing allow client to make intelligent HTTP requests to obtain required portions of an image file bit stream of the codestream from the server), wherein size of the requested portions is determined based on at least two of resolution, layer, component, and precinct of an image specified by a user of the client (Deshpande, [0008], [0009]) and wherein the size of the

requested option is derived from the data structure of the client corresponding to the user specified at least two of resolution, layer, component, and precinct of the image (Deshpande, [0009], [0028], indicates there are a range of resolution for the image, ).

3. Regarding claim 2, Deshpande further discloses the client defined in claim 1 wherein the processor creates a new codestream by integrating previously obtained portions of the compressed codestream within portions of the compressed codestream received as a result of the request, and the processor updates markers for the new codestream (Deshpande, [0034]).
4. Regarding claims 4, Deshpande teaches the system defined in claim 3 wherein the portion of the compressed codestream are selected from a group of packets, tile part, and coded data segments from a codebook (Deshpande, [0006], [0030]).
5. Regarding claims 10, and 11, claiming for two marker segments indicative of a map to every packet, the two marker segments comprise the TLM and PLM marker segments (Deshpande, [0007], l.14-17).
6. Claims 19-20, claiming for method have limitations corresponding to the system claims 10-11. Therefore, claims 19-20 are rejected for the same reasons set forth in the rejection of claims 10-11.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 5-9, 12-18, 21-28 are rejected under 35 USC 103(a) as being unpatentable over Deshpande et al., (US PG Pub No. 20020087728) in view of Larsson et al., (US PG Pub No. 20030110299).

8. Regarding claim 3, Deshpande does not specifically disclose the server processing codestream.

However, Larsson further discloses a system comprising:

- A server to store a compressed codestream corresponding to image data (Larsson, [0063], 1.1-4) ; and
- a client coupled to the server via a network environment, wherein the client includes a memory having an application and a data structure stored therein, wherein the data structure identifies positions of the compressed codestream on the server and identifies data of the compressed codestream already buffered at the client, if any, and further wherein the client request bytes of the compressed codestream from the server that are not already stored in the memory and generates decoded image data requested (Larsson, [0052], 1.1-5), in which the client sends a request to the server for the desired part which is not in the client) by a user from the

bytes of the compressed codestream requested from the server and any portion of the compressed codestream previously stored in the memory necessary to create the image data (Larsson, [0049]-[0054]), necessary to create the image data are part of the new codestream, the client to generate image data by decoding the new codestream, wherein size of the requested bytes is determined based on at least two of resolution, quality, size, and region of an image specified by a user of the client (Deshpande, [0008], [0009]).

Because knowing the structure of Larsson can improve the processing of server side control, it would have been obvious to use Larsson's server-side control to improve the scalability for Deshpande's structure.

Therefore, the claimed invention would have been obvious to one of the ordinary skill in the art at the time of the invention.

9. Regarding claim 5, Larsson further discloses the system defined in claim 3 wherein, when executing the application, the client determines image characteristics that a user requests (Larsson, Abstract), selects data of a compressed codestream that corresponds to the image characteristics, determines data of a compressed codestream that corresponds to the image characteristics that is not already buffered at the client, issues requests to the server to obtain the data of a compressed codestream that corresponds to the image characteristics that is not already buffered at the client, integrates data received from the server with any previously buffered data of the compressed

codestream that corresponds to the image characteristics, decodes the data of the compressed codestream that corresponds to the image characteristics, and displays an image corresponding to the decoded compressed codestream. (Larsson, [0002], [0008], [0021], [0062]).

10. Regarding claim 6, Larsson further discloses the system defined in claim 3 wherein the server serves byte requests (Larsson, [0032], 1.1-3, [0060]).
11. Regarding claim 7, Larsson further discloses the system defined in claim 3 wherein the client further comprises a software decoder, and the client creates the compressed codestream for the software decoder by integrating bytes requested with previously obtained bytes (Larsson, [0021], 1.1-4, [0062], 1.1-13).
12. Regarding claim 8, Larsson further discloses the system defined in claim 3 wherein the client determines the location and length of each packet (Larsson, [0062], 1.7-12).
13. Regarding claim 9, Larsson further discloses the system defined in claim 8 wherein the client requests a header length of a compressed file from the server that includes one or more file format boxes and a main header of the codestream box from which the client determines the location and length of each packet (Larsson, [0042], 1. 1-3, [0052], 1.1-5).
14. Regarding claim 12 has limitation corresponding to claim 6. Therefore, claim 12 is rejected for the same reasons set forth in the rejection of claim 6.
15. Regarding claim 13, Larsson further discloses the system defined in claim 3 wherein the compressed codestream comprises a JPEG 2000 codestream



(Larsson, [0059], 1.1-12).

16. Claims 14-18, claiming for method have limitations corresponding to system claims 5-9. Therefore, Claims 14-18 are rejected for the same reasons set forth in the rejection of claims 5-9.
17. Claim 21, claiming for method, has limitation corresponding to system claim 13. Therefore, Claim 21 is rejected for the same reasons set forth in the rejection of claims 13.
18. Claims 22-28, claiming for a article of manufacture, have limitations corresponding to system claims 10-14, and 16-18. Therefore, claims 22-28 are rejected for the same reasons set forth in the rejection of claims 10-14, and 16-18.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action, Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first replay is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE MONTH** shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KYL  
6/22/06



**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**